

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In re Vitamins Antitrust Litigation

Misc. No. 99-0197 (TFH) (AK)
MDL No. 1285

THIS DOCUMENT RELATES TO:

ALL ACTIONS

FILED

NOV 07 2002

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

IT-14
**STIPULATION AND ~~PROPOSED~~ ORDER RE: BRIEFING SCHEDULE
FOR NIACIN DEFENDANTS' MOTION TO PRECLUDE THE EXPERT
TESTIMONY OF DR. BERNHEIM AND DR. PERLOFF RELATED TO NIACIN**

WHEREAS, the Court's Memorializing Order re Pretrial Schedule for Cases to Be Tried in the District of Columbia, filed on September 23, 2002, requires oppositions to *Daubert* motions to be filed by November 18, 2002 and replies in support of *Daubert* motions to be filed by December 4, 2002; and

WHEREAS, the exhibits to the Niacin Defendants' Motion to Preclude the Expert Testimony of Dr. Bernheim and Dr. Perloff Related to Niacin ("Niacin Defendants' Motion"), filed on November 1, 2002, were mis-routed by the shipper en route to Verilaw, Inc.; and

WHEREAS, Verilaw, Inc. did not receive or post the exhibits to the Niacin Defendants' Motion until November 5, 2002, two business days after the Niacin Defendants' Motion was filed;

NOW THEREFORE, it is hereby stipulated and agreed, by and between counsel for the undersigned,

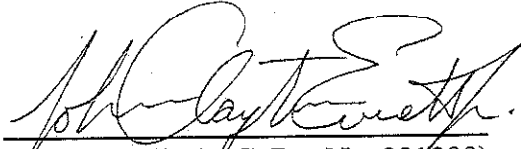
1. Oppositions to the Niacin Defendants' Motion shall be filed and served by November 20, 2002; and

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2. Replies in support of the Niacin Defendants' Motion shall be filed and served by December 6, 2002.


Dated: November 5, 2002

Respectfully submitted,



Peter E. Halle (D.C. Bar No. 224399)
J. Clayton Everett, Jr. (D.C. Bar No. 469652)
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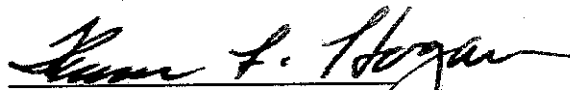
Attorneys for Defendants Degussa AG (f/k/a Degussa-Hüls AG) and Degussa Corporation (f/k/a Degussa-Hüls Corporation), and, for the purposes of this stipulation only, on behalf of Lonza AG, Lonza, Inc., Reilly Industries, Inc., Reilly Chemicals, SA and Nepera, Inc.



Richard J. Leveridge
DICKSTEIN, SHAPIRO, MORIN & PERMISSION
OSHINSKY LLP
2101 L Street, NW
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On behalf of all plaintiffs for the purposes of this Stipulation

SO ORDERED:



Thomas F. Hogan
Chief United States District Judge

Dated: Nov. 6, 2002